

**City of Greensboro Planning Department
Zoning Staff Report
April 12, 2004 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: I
Location: 2414 Battleground Avenue

Applicant: MRF Corporation
Owner: MRF Corporation

From: LI
To: CD-HB

Conditions: 1) Uses: All uses permitted in the HB zoning district except the following:
Sexually Oriented Businesses, Junked Motor Vehicles, and Land Clearing and Inert Debris Landfills.
2) Maximum of one curb cut for access to the subject property from Battleground Avenue.

| SITE INFORMATION | |
|------------------------------------|--|
| Existing Land Use | Vacant Industrial Building and Restaurant |
| Acreage | 5.267 |
| Physical Characteristics | <i>Topography:</i> Flat <i>Vegetation:</i> n/a <i>Other:</i> n/a |
| Overlay Districts | n/a |
| Historic District/Resources | n/a |
| Generalized Future Land Use | Mixed Use Commercial |
| Other | n/a |

| SURROUNDING ZONING AND LAND USE | | |
|---------------------------------|-----------------------------------|---------------|
| Location | Land Use | Zoning |
| <i>North</i> | Retail and Service Establishments | HB/LI |
| <i>South</i> | Bardy's Jewelers, Office Depot | HB |
| <i>East</i> | Lawndale Crossing Shopping Center | CD-SC/LI |
| <i>West</i> | Garden Square Shopping Center | HB |

| ZONING HISTORY | | |
|-----------------------|-------------|---|
| Case # | Year | Request Summary |
| 2405 | 1992 | The east side of Battleground Avenue from North Elam Avenue north to and extending beyond Cone Boulevard was zoned Industrial L under the previous ordinance. At the time of city-wide remapping to implement the UDO, much of this eastern side was classified as Highway Business. Properties that contained industrial uses were zoned Light Industrial at that time. The southernmost portion of this property was included in the HB District. |
| | 1994 | This southernmost portion of the subject property was rezoned from HB to LI by the Zoning Commission on July 28, 1994. The stated reason for this rezoning was to allow the owner to develop the property with a storage warehouse. |

| DIFFERENCES BETWEEN LI (EXISTING) AND CD-HB (PROPOSED) ZONING DISTRICTS |
|--|
| LI: Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. |
| CD-GB: Primarily intended to accommodate a wide range of retail, service, and office uses. This district is typically located along thoroughfares in areas which have developed with minimal front setbacks. See Conditions for use limitations. |

| TRANSPORTATION | |
|------------------------------|---|
| Street Classification | Battleground Avenue - Major Thoroughfare |
| Site Access | Maximum of one curb cut to Battleground Avenue to line up opposite of Carroll Street. |
| Traffic Counts | Battleground Avenue ADT = 36,000 |
| Trip Generation | 4,938 trips per week day, 6,786 trips per Saturday |
| Sidewalks | N/A |
| Transit | Yes |
| Traffic Impact Study | Yes |
| Other | |

| ENVIRONMENTAL REVIEW | |
|-------------------------------|-----------------------------------|
| Water Supply Watershed | No, drains to North Buffalo Creek |
| Floodplains | No |
| Streams | No |
| Other | n/a |

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

Connections 2025 Written Policies:

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life.

POLICY 7C.1: Ensure that adequate land is zoned and has infrastructure available for the various stages of business development.

POLICY 7C.3: Identify brownfield sites and underutilized/abandoned properties and buildings and expedite opportunities for development.

POLICY 8B: Develop comprehensive pedestrian and bicycle facility networks.

POLICY 8B.2: Support and apply policies to promote walkability and bicycling.

POLICY 8B.3: Continue coordination of pedestrian and bicycle improvements with roadway and transit plans and projects.

POLICY 8B.4: Develop map of "missing links" in the trails system, and require dedication at the time of development.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

Mixed Use Commercial: This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner.

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: Battleground Rail Trail. The Battleground Rail Trail is a paved, shared use path which will eventually connect the existing Lake Brandt Greenway to downtown Greensboro. It is part of the greater greenway system in the Triad. Phase I consists of 1.1 miles extending from just south of Pisgah Church Rd. to Markland Dr. along the abandoned rail line. It is 10' wide with 2' shoulders along the majority of the trail. The trail is referenced in the Greensboro Urban Area Metropolitan Planning Organization 2025 Long Range Transportation Plan and the 2004-2010 Transportation Improvement Program as project # E-4709.

Other Plans:

STAFF COMMENTS

Planning: This site contains a vacant light industrial building with a loading dock and a separate building with an active Chinese restaurant. The applicant has submitted an illustrative sketch plan for this site which shows a commercial building set towards the back of the property with parking spaces that appear to be based on the old parking requirements. Under the new ordinance recently adopted by City Council, the minimum number of required parking spaces could be reduced from 312 to 249. Such a reduction in parking would allow the building to be repositioned and/or moved forward in order to accommodate the corridor for the Battleground Rail Trail.

This site is designated as Mixed Use Commercial on the Connections 2025 Generalized Future Land Use Map. While commercial uses are predominant within the Mixed Use Commercial classification, a more diverse, attractive mix of uses is encouraged along older commercial strips at the time of redevelopment. This site is located along a very busy section of Battleground Avenue that is characterized mainly by commercial with a few service type uses. The feasibility of trying to introduce a residential component in this area may not be very desirable. However, the introduction of an office use could be feasible.

Policy 7C.3, supports the redevelopment of abandoned/underutilized properties and policy 7C.1 supports zoning adequate land for various stages of business development. Policy 4C encourages increasing economic competitiveness and enhancing the quality of life. These as well as existing conditions are all things that should be considered when determining the best use for this site. Some may contend that reusing the abandoned site for a commercial use is good for Greensboro while others may contend that another commercial use in an already busy commercial strip will not enhance the quality of life.

This site is also located along the designated Battleground Rail Trail and the applicant has not provided any conditions to allow for the reservation of right-of-way for the proposed trail. This trail is supported by policies 8B, 8B.2, 8B.3, and 8B.4.

GDOT: Given the present condition of the traffic on Battleground Ave., patrons of the proposed use will have difficulty leaving the establishment, and entering Battleground Ave. Such difficulty can be alleviated with future widening of Battleground Ave. Presently, the subject property contains insufficient dedicated R/W to accomplish the improvements necessary to alleviate the egress issue. Also, this site is one of many along Battleground Avenue that will be impacted by the planned Battleground Rail Trail. Phase 1 of this trail is scheduled to be under construction by the year 2006 and the limits are from Pisgah Church Road to Markland Road. It will be at the risk of the developer to build in the path of this City Council supported planned project.

Water Resources: During the TRC process the designer must prove that the proposed improvements will not create any additional flooding, drainage or erosion problems. The site drains to a technically undersized system, but this system has not created known flooding or safety concerns. Based upon a preliminary study submitted by the engineer, it appears that the proposed sitework will not create additional flooding, drainage or erosion problems to the downstream area. The undersized system has been placed on the CIP list for future improvements.

HCD: No comments.

STAFF RECOMMENDATION

This request is supported by Connections 2025 in terms of the Generalized Future Land Use Map, although this request does not fully meet the definition and intent of "Mixed Use Commercial". However, the request does not further the vision and objectives of Policy 8B which entails the development of comprehensive pedestrian and bicycle networks and specifically does meet the intent of 8B.3 which states that private development standards should also be reviewed for opportunities to promote installation of pedestrian and bicycle facilities in appropriate locations. This is certainly an appropriate location and it presents an opportunity in furtherance of the Battleground Rail Trail. Since the request does not reserve the corridor for this important community endeavor and since the dedicated right-of-way along Battleground Avenue to accomplish the improvements necessary to alleviate the egress issue has not been provided, the Planning Department recommends denial.